

REMARKS

This responds to the Office Action mailed on July 8, 2009.

Claims 1, 8, 15, and 21 are amended; claims 3, 16, and 23 were previously canceled, without prejudice to or disclaimer by the Applicant; claims 2 and 19 are presently cancelled, without prejudice to or disclaimer by the Applicant; as a result, claims 1, 4-15, 17-18, 20-22, and 24-26 are now pending in this application.

Example support for the claimed amendments may be found throughout the original filed specification. By way of example only, the learned Examiner's attention is directed to the original filed specification page 4 lines 11-22; page 6 lines 29-30; page 9 lines 10-19; page 10 lines 17-20; page 12 lines 27-30; and page 14 beginning on line 5 and continuing to page 15 line 2.

§ 103 Rejection of the Claims

Claims 1, 2, 4-15, 17-22, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over "The Netscape Proxy Server Version 3.5 for Unix Administrator's Guide" (hereinafter, "Netscape") in view of Green et al. (U.S. 6,003,084) in view of Chari et al. (U.S. 7,430,757). It is of course fundamental that in order to sustain an obviousness rejection that each and every element in the rejected claims must be taught or suggested in the proposed combination of references.

Initially, Applicant would like to address a few points raised by the learned Examiner. Firstly, the Netscape reference does not teach a "forward proxy." Applicant originally provided a detailed definition of the three types of proxies: reverse, transparent, and forward. The learned Examiner's attention is directed to the original filed specification page 4 lines 15-22. The Netscape reference is very specific in this teaching, the learned Examiner is directed to the Netscape reference the section entitled "What Netscape Proxy Server Provides" 5th paragraph where it is stated that the usage of the Netscape proxies are "totally transparent." By definition, this teaching precludes usage of a forward proxy.

Secondly, even assuming that a forward proxy is taught, which it is not, the Netscape reference fails to teach any proxy that is both a "forward and transparent proxy." So, at least

with respect to amended independent claims 8 and 15, the Netscape reference cannot be said to render these above cited elements obvious.

Thirdly, Applicant was clear throughout the original filed specification that the traditional and conventional approaches used to accelerate data were reverse proxies. The learned Examiner specifically stated that the Netscape reference was accelerating data via a “reverse proxy.” The learned Examiner is directed to the original filed specification page 3 lines 5-10 and to the Netscape reference section entitled “What Netscape Proxy Server Provides” 2nd paragraph last 3 lines that states that the “proxy server working in reverse . . . let[s] the organization regulate access from external clients . . .” In other words, external clients accessing data are regulated by the reverse proxy. This is not acceleration of data via a local forward and/or transparent proxy. This is the conventional acceleration used for reverse proxy arrangements.

Lastly, the Netscape reference specifically teaches away from the amended independent claims and therefore can no longer be used in the proposed combination against the invention. Specifically, Applicant has amended the independent claims such that the data housed in the cache is encrypted. This is present in the original filed specification on page 9 lines 10-19. The learned Examiner’s attention is further directed to the Netscape reference section entitled “Cache Pages Retrieved Using HTTPS” 1st paragraph sentence stating: “[b]y storing the document in cache, you avoid the encryption and decryption process, minimizing the time it takes to retrieve the document.” The Netscape reference believes processing speed is more important than security and therefore teaches against storing data in an encrypted format within the cache. However, this is exactly what Applicant’s amended independent claims now teach.

Finally, these recited elements that are lacking in the Netscape reference are also not present explicitly or implicitly in the other cited references of record. As such, Applicant respectfully requests that the learned Examiner remove the rejections and permit the claims of record to allowance.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record is relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

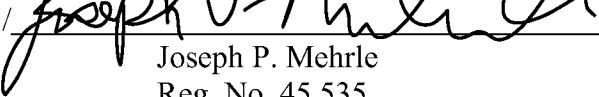
Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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By /  /
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